

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants Transport Department - Disciplinary Proceedings initiated against, Sri M.Naga Raja Reddy, Senior Assistant & 4 others - Enquiry conducted - Dropping of further action- Orders - Issued.

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TRANSPORT, ROADS & BUILDINGS (VIG.TR.2) DEPARTMENT

G.O.RT.No. 621

Dated:16.08.2014

Read the following:-

1. Proceedings of Transport Commissioner, R.No.16411/V1/ 2000-1 to 5 , dated.06.02.2006.
2. Common orders of Andhra pradesh Administrative Tribunal, dated 05.12.2008, in O.A.No's.2584, 911, 1092, 990 of 2006 and 8897 of 2008.
3. Proceedings of Transport Commissioner, R.No.16411/V4/2000, dated.19.02.2009.
4. Charge Memo No.16411/V4/2000-1 to 4, dated.15.04.2009 of Transport Commissioner, Hyderabad.
5. G.O.Ms.No.223, G.O.Rt.No.1167, dt.15.10.2009 of TR&B (Vig.III) Department.
6. Written Statements of Defence of the Charged Officers.
7. G.O.Rt.No.664 of TR&B(Vig.III) Dept. dt.13.07.2010.
8. From the Deputy Transport Commissioner & Enquiry Officer, Chittoor District Lr.No.48130/A1/2010, dated.27.12.2010.
9. Govt.Memo.No.9227/Vig.III/1/2004-18 TR&B Department, Dated 09.2.2011.
10. Representations of Charged Officers.
11. G.O.Rt.No.31, TR&B (Vig.III) Department, Dated 11.01.2012.
12. G.O.Rt.No.383, TR&B (Vig.III) Department, Dated 08.4.2013.
13. From the Deputy Transport Commissioner & Enquiry Officer, Ranga Reddy District Lr.No.01/DTC/2013, Dated 14.6.2013.
14. Govt.Memo.No.9227/Vig.III/1/2004-43 TR&B Department, Dated 21.8.2013.
15. Representation of Sri M.Naga Raja Reddy, Senior Assistant, dated.04.11.2013.
16. Representation of Sri P.Ranganatham, Senior Assistant (Retired), dated .5.11.2013.
17. Representation of Sri U.John Paul, Senior Assistant, dated 14.11.2013.
18. Representation of Sri P.Maha Boob Khan, Senior Assistant, dated.08.11.2013.
19. Representation of Sri B. Venkata Prasad, Junior Assistant, dated 08.11.2013

ORDER:

On the allegation of irregularities in remitting the Government Revenue in Government account to a tune of Rs.4,87,032/- in the O/o. Regional Transport Officer, Ananthapur, the Transport Commissioner, Hyderabad in his proceedings 1st read above has imposed the punishment of dismissal from service against the following officials.

1. Sri M.Naga Raja Reddy, Senior Assistant,
2. Sri P.Mahaboob Khan, Senior Assistant,
3. Sri A.Ranganathan, Senior Assistant (Retired),
4. Sri U.John Paul, Senior Assistant,
5. Sri B.Venkata Prasad, Junior Assistant,

(P.T.O)

2. Against the said punishment, all the Charged Officers filed O.A.No's 911, 990, 1092, 2584 of 2006 and 8897 of 2008 in the Hon'ble Andhra Pradesh Administrative Tribunal. The Hon'ble Andhra Pradesh Administrative Tribunal in its common orders 2nd read above, quashed the impugned orders and has also directed that it is always open for the competent authority to punish the applicants by conducting the enquiry strictly in accordance with Rules 20 & 21 of CCA Rules, 1991, as the charges relate to misappropriation of Government funds, if proved.

3. After examining the orders of Hon'ble Tribunal 2nd read above, all the charged Officers have been reinstated into service vide proceedings 3rd read above except Sri A. Ranganatham, as he retired from service at that time. In the references 4th and 5th read above, disciplinary proceedings have also been initiated against them afresh.

4. In the representations 6th read above, all the Charged Officers submitted their Written Statements Defence and after examining the Written Statements Defence, the Government in G.O. 7th read above, have appointed Sri M. Basi Reddy, Deputy Transport Commissioner as Inquiring Authority.

5. In the letter 8th read above, the Inquiring Authority submitted his report and held that the charges framed against the Charged Officers as proved.

6. After examining the matter, in the memo 9th read above, a copy of the Enquiry Report was communicated to all Charged Officers. In the representations 10th read above, all the Charged Officers stated that the Enquiry Officer has not conducted the enquiry as per rules and violated the rules and requested to drop further action against them.

7. After examining the representations submitted by the Charged Officers, in the G.O 12th read above read with in the G.O.11th read above, Govt., have issued orders for further enquiry and remitted back the matter to the Enquiry Officer with a request to give reasonable opportunity to the Charged Officers.

8. In the letter 13th read above, the Inquiring Authority submitted his report and held that the charge is proved to the extent of that the charged officers derelicted their duty by not examining the challan properly, by not noticing that the interpolation was made in the challan and by not enquiring the delinquent, who is a private person, about the interpolation resulting in loss of revenue to the Government.

9. In the Memo 14th read above, a copy of the Enquiry Report was communicated to all the Charged officers for their representations. In the representations 15th to 19th read above, all Charged Officers submitted their representations and have stated that, they are not responsible for the lapse of misappropriation; that not even a single witness had stated any thing against them to prove the charge; that the finding of the Enquiry Officer is that they had committed dereliction of duty is beyond the jurisdiction as the same was not specified in the articles of charge, as the charge framed against them is that they involved in misappropriation of Government money and requested to drop further action.

(P.T.O)

10. The Government after careful examination of the matter, had observed that interpolation was not done by the Charged employees. Apparently this was done by the authorized agent and his employee, that it may not be possible to detect the fraud on the challan, only reconciliation would bring out the difference which was not done later. Hence the charged employees cannot be held responsible and therefore decided to let off from the charges framed against them.

11. Accordingly, Government hereby drop further action against all the Charged Officers viz. 1) Sri K. Naga Raja Reddy, Senior Assistant, 2) Sri P. Mahaboob Khan, Senior Assistant, 3) Sri A. Ranganathan, Senior Assistant (Retired.), 4) Sri U. John Paul, Senior Assistant, 5) Sri B. Venkata Prasad, Junior Assistant.

12. The Transport Commissioner shall take further action in the matter accordingly

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Individuals through the Transport Commissioner, Andhra Pradesh, Hyderabad.
The Transport Commissioner, Andhra Pradesh, Hyderabad.
Copy to:
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER